

February 03, 2014

PRESENT: Richard Nichols, Chairman
Michael Pierce, Vice-Chairman
Philip Bean, Selectman
Mary-Louise Woolsey, Selectman
Michael Plouffe, Selectman
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney

SALUTE TO THE FLAG

I. Public Hearing RSA 35:95-b (5:30)

To apply for “No-Cost Assistance with Planning for Coastal Flood Hazards and Climate Change Impacts” under the 2014-2015 Assistance Program for New Hampshire Coastal Zone Communities, this no-cost assistance project will provide in-kind services with a value over \$5,000 to the Town.

Mr. Steffen commented: hope to apply for this program; two communities from the region will be selected; discussed the opportunity with the Planning Board and Jay Diener (Conservation Commission); have support from both to apply; if selected receive support in 3 areas develop local action plan to adjust to local climate change, review information to inform local salt marsh restoration and protection strategies and gain hands on experience with a web based coastal hazard viewer tool specific to NH; went through participation requirements; important to pursue this to stay in the forefront of what’s happening in this area.

Mr. Diener made comments: expansion of the efforts of the NH Coastal Adaptation Program they were a part of in 2011/2012; discussed the variety of organizations that worked with them; talked about his membership with the Seabrook/Hampton/Hampton Falls Estuary Alliance; possibility of the 3 communities applying for this as one entity; approach this on a regional basis; people he has been in touch with about applying for this on a regional basis; makes sense to do it this way.

Selectman Woolsey commented: that this will involve the study of the river and the ocean; wonders if we are going to stop building on wetlands; no place for drainage or the water to go; a little gun shy on studies and expressed why she feels this way.

Mr. Diener responded to Selectman Woolsey by talking about striking a balance between property rights and what is going to benefit the Town as a whole. He also discussed what the goal of the study is in detail.

Chairman Nichols commented: wonders if anyone on the Board has concern with the approach of Seabrook, Hampton Falls and Hampton working together on this; the Board did not have concerns with this; appears to be competitive; commented on a statistic he heard back in conjunction with the application for FEMA Natural Hazard Mitigation Grants and how Hampton had a large number of flood policies compared to the whole State; may want to research this in regards to the competing piece of this; Congress kind of put a sunset on subsidies associated with flood insurance and Senate recently passed a bill to push these subsidies out further.

There was a discussion in regards to the value attached to the program.

Comments from the Public

Arthur Moody, 3 Thomsen Road, commented: heard about this at the last Planning Board meeting; how Attorney Gearreald told them that it had to come to the Board of Selectmen due to value; how Conservation is now involved; involvement of other Towns; number of multi Town groups already in Hampton; getting involved with this will never end; not in favor of this especially with other Towns.

Chairman Nichols MOTIONED to authorize the grant application with a value over \$5,000 along with the joint participation with Seabrook and Hampton Falls SECONDED by Selectman Bean.

VOTE 3(Bean, Nichols, Plouffe)-1(Woolsey)-1(Pierce)

II. Public Comment Period (20:20)

Arthur Moody, 3 Thomsen Road, commented on Tom Forton's changeable copy sign billboard on Rte. 1; possible rezoning of Lafayette Road; problems he sees with the rezoning articles; protest petition for the proposed rezoning; income tax forms for 2013 have arrived at the Library; Article 19 in regards to RSA 79E and the slogan he has come up with encouraging people to vote "yes" on Article 19.

III. Announcements and Community Calendar (24:32)

Selectman Bean commented on the slogan Arthur came up with and told him great work; kudos to Bob Casassa Moderator for standing his post all day on Saturday; thanked employees for all the work they put into Deliberative and all the people who came out.

Selectman Woolsey commented that it was a good meeting but very disappointing from the percentage of the population that shows up; thinks it is really sad that people cannot even give up a morning of their time when there are still people in the world who do not have this opportunity; upcoming snow storms and encouraged people to sign up to receive notifications from Public Works.

Chairman Nichols reminded everyone that they can find the links to sign up for notifications on the Town's website.

IV. Appointments (26:36)

1. Chief Silver, Fire Department
 - a. Departmental Update (26:42)

Chief Silver touched on the following: 2013 statistics in regards to number of fires and types; 46% of calls in beach district and 53% within the Town and rural district; total fire incidents down in 2013 from 2012 about a 2% decrease; total dollar loss (\$250,000) from all fires was up in 2013; false alarm calls increased significantly due to weather conditions; small decrease in medical emergency responses; 296 simultaneous calls down 5 from 2012; 2014 is an Ambulance purchase year.

Fire Prevention: worked diligently to complete the job they are charged with; went through the many things that this bureau is responsible for; currently includes one fulltime employee along with a part-time secretary; 2014 budget does include funding to fill the Fire Inspector position; talked about the many things coming forward in 2014 and the importance of having the bureau completely staffed; went through the different types of inspections in detail; talked about the random nightly inspections which no longer occur due to lack of staffing; went through code plan reviews they complete; increase in commercial projects and the need for additional staff; number and types of permits they issue; instances of projects that start building prior to obtaining the proper permits are occurring; investigations that occur as a result of fire damage; fire prevention education that takes place and how it has been reduced; inquiries and complaints that they address; needs are being addressed in the 2014 operating budget.

Selectman Woolsey asked the Chief to email his report to Jamie Steffen to be distributed to all members of the Planning Board. She asked if we currently fine for false alarm calls and the Chief explained that this is currently not being done but we have the ability to do so according to the ordinance.

Selectman Pierce asked about the sprinkler systems in Town all being pressurized and Chief Silver discussed the different types of systems that can be installed. Chief Silver also went through a detailed description on how the different types of systems work. Selectman Pierce explained the type of dry system that was used in computer rooms back when he was in the field and wonders if these types of systems are used in Town. Chief Silver discussed the dry system including cost involved and how many times you will see both types of systems in a building. He also explained how wet systems are installed in living spaces and dry systems are installed in other types of buildings.

Selectman Bean commented: asked for a copy of the report; complimented the firefighters who picked up his mother again this week and thanks them from the Bean Family; great job they did down at the Penguin Plunge along with all the Town's departments; he asked how the new quarters are and Chief Silver shared some of the things they have done to make it a home; hopes the voters will support the funding for the new position.

Chairman Nichols asked about EMS revenues being down in Mr. Schwotzer's report because of timing in billing and wonders if the Chief expects it to be about level with last year. The Chief shared how the billing process works with Comstar and Mike will see the number sooner than he does.

b. Ambulance Replacement Purchase (30:20)

Chief Silver provided the following update: replacement ambulance is under construction; should be completed in next 45 days; due to the delays they are behind on replacement of ambulances; 2014 is a replacement ambulance year; current vendor has agreed to add a

second ambulance to the order with the only increase being from \$400 to \$1500 for the cost of a 2014 chassis; total for second ambulance would be \$179,029; have followed the Town's purchasing policy to procure the ambulance currently being prepared for delivery; had bid twice with the same results; does not expect to see anything change this time; because of this and the lengthy time involved he would strongly recommend that they proceed with this second ambulance; will come back with additional information for the Board; looking at fund balance from 2013 and have a net fund balance of \$483,241.15; this does not include December invoices that revenue will be added; does not include the current purchase order for the ambulance under construction which is in the amount of \$177,529; so current balance is greater than \$305,712 at the end of 2013; current ambulances are 2004, 2006 and 2009; goal all along has been to allow an ambulance to remain in service for six years; therefore every two years is an ambulance replacement year; 2010, 2012 and 2014 were all ambulance replacement years; ordered in 2009 and received ambulance in 2010; did not replace in 2012 because of the issues with bidding process and how two vendors withdrew their bids; ambulances that broke down while transporting patients to the hospital; would like Board to authorize the purchase of an additional ambulance using the bids received for the current ambulance being constructed with the only increase being for the cost of the 2014 chassis.

Selectman Woolsey MOTIONED to approve the purchase of an ambulance in 2014 SECONDED by Selectman Plouffe.

Chairman Nichols asked about: with what is already in the process we will soon have a 2009, 2013 and 2014; confirmed with the Chief that before we fell behind we were replacing an ambulance every two years; so we will be replacing two ambulances in 2014; appears to be more than adequate amount of money in the fund balance to do this; how does it affect the plan going forward if you replace two in the same year; Chief Silver explained this situation happened and it was delayed one year so at one point they went 3 years between replacements as opposed to the 2 year plan; compliant with purchasing policy since it has already gone out to bid and is going to the lowest bidder; he also believes there is something in the policy in regards to a 6 month timeframe; asked someone to look into that portion.

VOTE: 5-0-0

c. Declare "Polaris Ranger" as surplus (53:18)

Chief Silver commented: vehicle purchased with State Homeland Security Grant Funds; 100% funded by grant; 2013 purchase order for a replacement vehicle; would like to use this unit as a trade-in; have already been through the process of securing the 3 quotes; this is more of a formality that it be declared as surplus so he can comply with the conditions of the grant.

Selectman Woolsey MOTIONED to declare "Polaris Ranger" as surplus SECONDED by Selectman Pierce.

Selectman Pierce confirmed with Mr. Welch and Chief Silver that by declaring it as surplus we are meeting all the requirements under the grant.

Selectman Woolsey commented on overtime in the Fire budget and possibility of making it clearer as to when a shift such as a vacation shift is being covered. Chief Silver went through the 4 overtime line items that do reflect what she is referring to in regards to covering a sick or vacation shift. Chairman Nichols believes that this is already being done as it was just

explained by the Chief. Selectman Woolsey thinks there should be something added to make it clearer to people on the Budget Committee and others who may not be as familiar with the budget as they are.

2. Doug Kosterman, Pro-Con (59:45)

- a. RSA 47:17,VII Use of Public Ways – Permission for the installation of Jersey Barriers and the blocking of the sidewalk on Highland Avenue for work on the Ashworth Hotel 03/03/14-04/08/14

Mr. Kosterman went through the many upgrades they plan to do to the outside of the hotel including siding, work on brick, new balcony rails, replacing exterior lighting and new windows; sealing concrete decks requires a temperature of 50 degrees; in order to do this they need to close part of the sidewalk on Highland Ave and relocate the sidewalk; went through the exact plans for the Board; doing work in phases; jersey barriers will take up a portion of roadway; will have a police detail for this part of the work.

Selectman Woolsey thinks it is great to see the businesses refurbishing down on the beach. There was a discussion on the timeframe and it should be completed by Memorial Day.

Chairman Nichols commented: memo has date in February, March, and April; curious how it is now going until May. The whole project will go until May but the work on Highland and Ocean Blvd will be done first.

Mr. Welch wants to make sure that they realize they have to work with the State for the Ocean Blvd side.

Chairman Nichols MOTIONED to approve the use of sidewalks and streets for Jersey Barriers with the timeframes and descriptions described in the January 27, 2014 email from Doug Kosterman SECONDED by Selectman Woolsey.

VOTE: 5-0-0

V. Town Manager's Report (1:07:41)

1. Work continues on the Church Street Pumping Station. The metal roof and soffits, and the HVAC except for the electric room are completed. The interior pours of concrete are moving ahead as planned, and the primary wiring from the street has been back pulled into the structure.
2. A request is made to the Selectmen to approve stop signs currently existing on various streets; currently not identified, for inclusion within the Code. The DPW prepared an inventory of stop signs within the Town that disclosed these shortcomings.
3. In reviewing the sign inventory, it was also brought to light that there are a number of illegal speed limit signs, these are being removed and replaced with legal speed limit signs. By State law, the lowest speed limit that can be posted is 25 MPH. The signs being removed were posted from 5 to 20 MPH.
4. I have requested the Building Inspector and the DPW Director to examine the old Barrel Shop at the Community Gardens to determine if a demolition permit should be issued to remove the structure. Mr. Schultz stated the buildings foundation at this point is strong and there is not a current need to have the building torn down.

Mr. Welch added the following to his report: Garage at Tuck Field, the contractor who was awarded the bid has submitted a change order, even though construction has not begun, he

requests that the bid be voided and go back out to bid; parking on west side of Ocean Blvd and would like to schedule public hearing for February 24th; SB219 which is the bill the Board authorized them to submit regarding the funds from sale of cemetery lots to go directly to the Cemetery Trustees, if Town Meeting votes to approve, was approved by the Senate on January 30, 2014, and has been sent to the House; talked to Mr. Somers (from Comcast) about the activation of the second local access TV channel, he has also spoken with Paul from IT, making progress on this; copy of traffic control study for the center of Town, the study is completed, comments made by Woolsey and Rice are included, Chief will attend next week to review this study, they discussed how the engineers conducting the study still have not been down to meet with Mr. Rice and Selectman Woolsey and how this needs to be done; have not heard back from the meeting of the Seabrook Selectmen; provided Recreation Department with a communication from Unitil for funding available for energy efficiency controls, possibility of using this towards the lights at Tuck Field; \$500,000 grant for the Dam, Meadow Pond and culvert were submitted on time; provided an updated copy of changes made to articles at the Deliberative Session; Aquarion is filing for a rate increase on April 1st, the increase is being postponed to January of 2015

Selectman Woolsey MOTIONED to vacate the bid for the garage at Tuck Field SECONDED by Selectman Pierce.

VOTE: 5-0-0

Chairman Nichols asked about the timeframe for the work on the garage at Tuck Field and if any problems will arise if work is not completed by Memorial Day; Mr. Welch does not believe this to be the case at this location.

Selectman Woolsey made a request prior to the meeting of Mr. Welch for four "Make Way for Duck" signs for Batchelder Pond and Taylor River.

Chairman Nichols asked why so much of his weekly report is not being included on the agenda. Mr. Welch stated that he does not receive this information until after agenda is posted. Chairman Nichols thinks that it is important for the agenda to be updated even if it does not go up on the website until Friday at 4 pm. Selectman Pierce would prefer the items that are not time sensitive be postponed to the next week.

VI. Old Business (1:22:30)

Chairman Nichols brought up: email he received from Tracy Emerick as the CIP representative; vote taken by the Planning Board to accept the 2014 to 2019 CIP; plan includes Town Departments, SAU 90 and Hampton's 41% share of Winnacunnet High School.

Selectman Woolsey commented that if they continue to persist in setting a base of \$75,000; that is absolutely ridiculous; feels they should be focusing on bond issues; many of the items in the report have already been accommodated for in the budget and warrant articles.

Chairman Nichols added that the CIP Committee has agreed to continue with the \$75,000 threshold and it appears that Selectman Woolsey is the only one who has a problem with the \$75,000 threshold.

VII. New Business (1:23:57)

1. 2014 Deliberative Session (1:24:00)

Chairman Nichols believes the primary reason for putting this on the agenda was for items that may have been changed at the Deliberative Session and as a result, the Board may want to change their vote in regards to recommending an article. He asked if anyone on the Board would like to revisit any articles that changed at the Deliberative.

Selectman Pierce brought up Article 8 the Budget and change in amount made by Mr. Lang when he voted to remove the line item for NHMA. He is not in favor of how this took place and thinks it is completely wrong, and would like to know if there is anything they can do about this. Chairman Nichols believes it is with the voters at this point. Mr. Welch pointed out that the dues have been paid through 2014.

Selectman Woolsey commented on how she encourages residents to come to the deliberative session and make motions such as this one. There was an additional discussion amongst the Board in regards to NHMA and the motion made on Saturday. Chairman Nichols pointed out that there appears to be two issues; one is should people be able to make motions such as this at the deliberative session and the other issue is in regards to NHMA and LGC; they are separate entities, and mentioned the different subjects the Town had used the NHMA for.

Chairman Nichols made comments on the noise ordinance: two changes; one pushes the timeframe for outside entertainment to 11:59 pm; the other is that the db. level was reduced to 55 between 11 pm and 1 am; problems that may come from lowering the db. level; explained in detail why the change in db. level can be a problem.

Chairman Nichols also shared the change in the tax rate forecast as a result of the deliberative session, if everything passes on the warrant, the municipal tax rate will rise from \$7.04 to \$7.93, which is a 12.6% increase. The sum of all the money articles would have a \$275,000 impact on the tax rate; does not recall a financial impact like this in the past.

Chairman Nichols spoke about DPW vehicle purchase article, and how the Board had discussed going out to bid; including trade-in value; amending amount of article at the deliberative sessions; wonders what ever happened with all of that. Mr. Welch explained: the bids did go out but the bids were not structured properly; bids went out a week before the deliberative session; bids were due on this past Thursday, but it was not posted on website until Tuesday. Errors was found and corrections were sent out on Wednesday. Chairman Nichols thinks this was doomed for failure.

2. Approval of Stop Signs (1:40:54)

Mr. Welch explained that he went out and looked at all of them himself and the signs do need to be added to be legal.

Selectman Woolsey MOTIONED to AMEND the Code of the Town of Hampton, Chapter 805, Article IV, Section 32 by adding the following stop sign locations for Stop Intersections SECONDED by Selectman Pierce.

VOTE: 5-0-0

3. Parade and Public Gathering License “New Balance Reach the Beach” 09/13/2014

Chairman Nichols pointed out he removed this from the Consent Agenda in case there was a need for discussion. He also went through the route and how the race is spread out.

Chairman Nichols MOTIONED to approve the Parade and Public Gathering License for “New Balance Reach the Beach” 9/13/14 SECONDED by Selectman Pierce.

VOTE: 4(Plouffe, Bean, Pierce, Nichols)-0-1(Woolsey)

4. Permit for Use of Town Property- Ashworth Ave Parking Lot “New Balance Reach the Beach” 09/13/14

Chairman Nichols MOTIONED to approve the Permit for Use of Town Property- Ashworth Ave Parking Lot “New Balance Reach the Beach” on 09/13/14 SECONDED by Selectman Pierce.

VOTE: 5-0-0

VIII. Consent Agenda (1:43:58)

Chairman Nichols requested to remove Investment Policy for 2014; as an oversight it was not included with their packet; was provided to the Board today; would suggest deferring it until meeting in February when Mr. Schwotzer is present; shared some of the questions he has for Mr. Schwotzer which he went through in detail for the Board; provided some history going back to 2007; thinks service charges need to be taken into consideration in the policy.

1. Hampton Investment Policy Fiscal Year 2014
2. Lease Agreement Church Street Parking Lot
3. Raffle Permit “Sacred Heart School”
4. Solicitation Permit “Girls Scout Troop #22342” at Seacoast United Soccer Club 2/8-9

Chairman Nichols MOTIONED to approve the Consent Agenda items #2, 3, and 4 SECONDED by Selectman Woolsey.

VOTE: 5-0-0

IX. Closing Comments (1:48:18)

Mr. Welch explained that in preparing the warrant for the annual report, the warrant has been reformatted and the signature pages have been consolidated, so the signature pages need to be resigned. Chairman Nichols commented on the changes made that the Board has received as a result of the deliberative session. It was explained to the Board that they were told by the Town Clerks Office not to make changes to the warrant. The Board agreed not to sign until they received further information on this.

X. Adjournment of Public Meeting (1:50:48)

Selectman Woolsey MOTIONED to adjourn at 8:47 PM SECONDED by Chairman Nichols.

VOTE: 5-0-0

Chairman